

Findings of Fact & Conclusions for Special Use Permit # 006-2023

The Department provides that the following analysis, findings and conclusion for each of the required criteria provided under the controlling sections of the Zoning Regulations. Conditions may be required that the ZBOA determines if implemented, will mitigate potential conflicts in order to reach these conclusions.

Standards Applicable to Special Uses (CCZR § 10.6)
A. The proposed development will not materially endanger the public health or safety
(1) Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections and approaches.
Applicant Response: Proposed development will not endanger the public health or safety. Additional traffic will be very minimal, an additional one or two vehicles a day travelling on adjacent road.
Staff Analysis: Access to the lot is from County maintained Flood Road and private Florida Road. The duplex was considered during the subdivision process and incorporated into the Traffic Impact Analysis. The Department does not anticipate additional traffic as a result of the addition of the duplex proposed that have not already been considered with the Peace Park Subdivision approval.
(2) Provisions of services and utilities, including sewer, water, electrical, telecommunications, garbage collections, and fire protection.
Applicant Response: Proposed development will not affect services and all utilities are either on the property or will be installed (well and septic).
Staff Analysis: Utility easements were included on final plat filed in 2021 to allow for new utility installation. Septic layout was approved during the subdivision process as well and a MDEQ COSA rewrite (EQ#23-1581) has been obtained to incorporate the duplex on the property. Minimal effect is anticipated on the utilities at, or around, the proposed parcels.
(3) Soil erosion, sedimentation, and storm water runoff.
Applicant Response: Proposed development will not affect the public health. We will not be changing grades to effect runoff or move enough dirt to effect erosion.
Staff Analysis: New homes will increase the amount of impervious surface on the lot. This was taken into consideration during the subdivision process and a stormwater management plan was approved. Any adverse effects of increased impervious surface will be mitigated by the stormwater management plan.
(4) Protection of public community, or private water supplies, including possible adverse effects on surface waters or groundwater.
Applicant Response: Proposed development will have its own independent water supply approved by the DEQ and therefore will have no impact on surrounding private or public water supplies.
Staff Analysis: The Department is recommending a condition of approval that will require the Applicant to obtain appropriate permits through the City-County Health Department to ensure property wastewater treatment. Condition #4 is proposed to mitigate this concern.

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B. The proposed development will not substantially injure the value of adjoining property or is a public necessity.
(1) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
Applicant Response: Each townhome unit is a single family dwelling unit in character with all surrounding homes.
Staff Analysis: The Department does not anticipate that the duplex will negatively impact the surrounding properties due to the surrounding residential uses in the vicinity as well as the previously approved Peace Park Subdivision.
(2) Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.
Applicant Response: Proposed development poses no risk to the public health and safety and general welfare.
Staff Analysis: The proposed duplex is not so necessary to the public health, safety, and general welfare of the community or County as a whole to justify it regardless of its impact to the value of adjoining property.
C. The proposed development will be in harmony with the area in which it is located.
(1) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
Applicant Response: Each townhome will be in the \$450,000 to \$550,000 value range- The design and color scheme will be professionally designed to fit in within the surrounding developments. Proposed development should have a positive impact on surrounding properties.
Staff Analysis: With the inclusion of the conditions of approval recommended, the duplex will be in harmony with existing residences. A similar duplex has been approved on Lot 8 in 2021.
D. The proposed development will be consistent with the Cascade County Growth Policy.
(1) Consistency with the Growth Policy objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.
Applicant Response: Proposed development is consistent with current growth policy.
Staff Analysis: Proposed development is consistent with the Cascade County Growth Policy.
Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.
A. Stimulate the retention of existing businesses and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing, and forest products.
Applicant Response: There is a need for new construction townhomes in the city and county. This type of development retains and even can grow the population. Which in turn is good for all surrounding businesses.
Staff Analysis: The placement of the duplex will help sustain and strengthen the real estate economy and meet housing demands that will help encourage home ownership within Cascade County.

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B. Stabilize and diversify the county's tax base by encouraging the sustainable use of its natural resources.

Applicant Response: There is a need for new construction townhomes in the city and county. This type of development helps retain or even grow the population which in turn is good for all tax payers.

Staff Analysis: The proposed duplex will increase the county's tax base.

C. Identify and pursue primary business development that complements existing business, which is compatible with communities, and utilizes available assets. Identify and pursue targeted business development opportunities to include, but not limited to, manufacturing/heavy industry, telecommunications, and youth/social services.

Applicant Response: Proposed development is not a business development.

Staff Analysis: The proposed duplex is residential; therefore, it will not negatively impact business.

D. Promote the development of cultural resources and tourism to broaden Cascade County's economic base.

Applicant Response: Proposed development will have no impact on cultural resources. This construction and resulting tax base will help with the counties economic base.

Staff Analysis: The placement of the duplex will not negatively impact tourism or cultural resources.

E. Foster and stimulate well-planned entrepreneurship among the county's citizenry.

Applicant Response: Proposed development will help create more jobs for local contractors and sub contractors.

Staff Analysis: The placement of the duplex will not negatively impact well-planned entrepreneurship among the county's citizenry.

F. Promote a strong local business environment. Encourage and strengthen business support mechanisms such as chambers of commerce, development organizations and business roundtable organizations.

Applicant Response: There is a need for new construction townhomes in the city and county. This type of development helps retain and even grow the population which in turn is good for all surrounding businesses.

Staff Analysis: The proposed duplex is residential and will not negatively impact business support mechanisms.

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G. Improve local trade capture for Cascade County businesses. Promote local shopping as well as well-planned businesses and new businesses.

Applicant Response: There is a need for new construction townhomes in the city and county. This type of development helps retain and even grow the population which in turn is good for all surrounding businesses.

Staff Analysis: The addition of the duplex could increase the number of citizens looking to recreate or shop in the local area.

H. Network with and support other economic development efforts in the region and statewide, in recognition of Cascade County's interdependence with other communities and to leverage available local resources.

Applicant Response: Proposed development will help to support economic development for Cascade County.

Staff Analysis: The proposed duplex will not negatively impact economic development efforts.

I. Encourage the growth of the agricultural economy.

Applicant Response: Proposed development will not have an impact on the local agricultural economy.

Staff Analysis: This project will not negatively impact the agricultural economy. The proposed duplex will be placed in an approved subdivision.

J. Stimulate the growth of the economy by encouraging the use of alternate methods of energy production, including wind energy.

Applicant Response: Proposed development will be using energy methods supplied to the existing land.

Staff Analysis: This Application does not propose the use of wind energy or other alternate methods of energy production.

Goal 2: Protect and maintain Cascade County's rural character and the community's historic relationship with the natural resource development.

Objectives:

A. Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands and forests.

Applicant Response: Proposed development will be landscaped in a tasteful fashion and in accordance with surrounding housing.

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Staff Analysis: According to the USDA Web Soil Survey¹, the Subject Property is considered farmland if irrigated of statewide importance. The land went through subdivision review for residential use of the subject lot.

B. *Preserve Cascade County's scenic beauty and conserve its forests, rangelands, and streams, with their abundant wildlife and good fisheries.*

Applicant Response: Proposed development will be landscaped in a tasteful fashion and in accordance with surrounding housing.

Staff Analysis: The placement of the duplex is not anticipated to impact Cascade County's scenic beauty.

C. *Preserve Cascade County's open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.*

Applicant Response: The design of the proposed development has been well thought out. There is a need for new townhomes in the city and county.

Staff Analysis: The Peace Park Subdivision was approved and filed in 2021 and is located near the City of Great Falls.

D. *Assure clean air, clean water, a healthful environment, and good community appearance.*

Applicant Response: Proposed development will not have an impact on the air and water. Development will provide very good community appearance.

Staff Analysis: The subject property will need to obtain approval from the City/County Health Department for water/wastewater of the duplex (see Condition #4). The placement of the duplex will align with surrounding residential development.

E. *Support the development of natural resources including but not limited to timber, mining, oil and gas production, and renewable energy production.*

Applicant Response: Proposed development will not have an impact on natural resources.

Staff Analysis: The placement of the duplex will not have a negative impact on natural resource development.

¹ <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

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F. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfields processes.

Applicant Response: Proposed development will not have an impact on any superfund or brownfield properties.

Staff Analysis: According to the EPA Cleanups in my Community Map² the subject property is not located within a Superfund or Brownfields site.

Goal 3: Maintain Agricultural economy

A. Protect the most productive soil types.

Applicant Response: Most productive soil types will be saved and utilized for topsoil.

Staff Analysis: According to the USDA Web Soil Survey³, the Subject Property is considered farmland if irrigated of statewide importance. The land went through subdivision review for residential use of the subject lot.

B. Continue to protect soils against erosion.

Applicant Response: All disturbed soils will be controlled and replanted with natural grass as soon as possible.

Staff Analysis: The Department does not anticipate a significant effect on soil erosion from the placement of this duplex. Any adverse effects of the increased impervious surfaces were considered and addressed in the subdivision review process.

C. Protect the floodplain from non-agricultural development.

Applicant Response: Proposed development is not in the floodplain.

Staff Analysis: According to FEMA Firm Panel⁴ #30013C0604E the location of the Subject Property is not in a regulated floodplain area.

D. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

Applicant Response: Proposed development will not have an impact on the agricultural industry.

² https://ordspub.epa.gov/ords/cimc/f?p=cimc:map:::71:P71_WELSEARCH:NULL|Cleanup|||false|false|true|false|false|false||sites|Y

³ <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

⁴ [FEMA Flood Map Service Center | Search By Address](#)

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Staff Analysis: The proposed duplex will not negatively affect the agriculture industry.

Goal 4: Retain the presence of the US Military in Cascade County.

Objectives:

- A. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.**
- B. Promote the location of additional military missions in Cascade County.**
- C. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.**
- D. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.**

Applicant Response: Proposed development will increase housing, which supports US military presence. Proposed development will not conflict with any mission compatible development.

Staff Analysis: The placement of the duplex will not negatively affect military presence. However, the placement of the duplex is in MOD-F of the Military Overlay District which restricts the duplex from exceeding 500 feet in height to prevent interference with the runway. Condition #2 is proposed to ensure this requirement is met.

Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.

Objectives:

- A. Maintain Cascade County's citizens independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.**

Applicant Response: Proposed development will increase housing, which supports the counties growing population.

Staff Analysis: The proposed duplex will likely have little to no impact on Cascade County's citizens' rural lifestyle.

- B. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.**

Applicant Response: Proposed development will not have any negative effect on counties heritage or resources.

Staff Analysis: The subject property is not known to be a cultural/historic sites or a archaeological area.

- C. Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.**

Applicant Response: Proposed development will be landscaped and irrigated. Mitigating extreme fire hazards.

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Staff Analysis: The proposed duplex will be serviced by the Gore Hill Fire Department. The Peace Park Subdivision has a fire suppression system. Condition #3 is being imposed to ensure the residences are properly addressed so that in the event of an emergency, first responders can easily locate the property.

D. Encourage the continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents.

Applicant Response: Proposed development will create tax base, which in turn supports local education programs.

Staff Analysis: The placement of the duplex will not negatively affect continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents.